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September 28, 2016

VIA ECF and FAX

Honorable Robert W. Sweet
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, New York 10007-1312

Re: *Elsevier, Inc., et al. v. Sci-Hub, et al.*, 15-cv-4282 (RWS)

Dear Judge Sweet,

We represent the Plaintiffs in the above-referenced action and write to request an adjournment of approximately two weeks for the hearing on the Order to Show Cause (Dkt. 70), currently scheduled for tomorrow at noon. As the Court is aware, the purpose of the hearing was to address Plaintiffs' request to take expedited third party discovery (in the form of a Subpoena *duces tecum*) from non-party CloudFlare, Inc. We make this request because we only recently learned that, as a result of a mailing error, CloudFlare did not receive the Order to Show Cause. We are in the process of rectifying this situation but request an adjournment in order to afford CloudFlare time to review our request and to have an opportunity to be heard should they desire.

Defendants have not appeared in the action to date and, although they were served per the Court's service order, did not file any objections to Plaintiffs' request by the deadline yesterday for doing so. This is our first request for an extension of the hearing on the Order to Show cause

Respectfully submitted,

/s/ Joseph V. DeMarco
Joseph V. DeMarco

Cc: All Defendants by means authorized by Court Order

